

// A special meeting of the Council of the City of Lynchburg, recessed from May 11, was held on the 25th day of May, 2004, at 1:00 P.M., Second Floor Training Room, Carl B. Hutcherson, Jr., President, presiding. The purpose of the meeting was to conduct a work session regarding several items. The following Members were present:

Present: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Absent: 0

// Lynchburg City Schools representatives were present to discuss City Council's concern regarding the Schools practice of making an annual prepayment to the Laurel Regional Program. In response to Vice Mayor Dodson's question, Mr. John Montoro, of Cherry, Bekaert & Holland, explained that the prepayment is now shown in the City's Comprehensive Annual Financial Report due to a new reporting format. School Board Vice Chair Julie Doyle explained that the practice of making the prepayment has been in place for the past ten years and was a way of giving the school system a cushion in its budget so that it could deal with unexpected expenses without asking City Council for additional funds. Council Member Seiffert suggested that the Schools establish a contingency fund in their budget to deal with unexpected expenses. Council Member Adams suggested that the Schools stop making the prepayments and apply any surplus to the debt on the E. C. Glass High School renovation project. Ms. Doyle stated that no further prepayments would be made to the Laurel Regional Program and that the funds set aside during this fiscal year would return to the Fund Balance.

// In response to an earlier request of Council Member Foster, City Manager Kimball Payne presented four options on funding salary adjustments for LynCom employees effective July 1, 2004. Mr. Payne recommended option #3 which would utilize a portion of the additional funding provided by the General Assembly under the provisions of HB599 for FY2005 to adjust salaries for LynCom and civilian employees of the Police Department with the remainder to be set aside to start to accumulate the resources to address employees of the Lynchburg Fire and EMS Department in the same manner as the Police Department and consistent with the Compensation Philosophy. Council Member Foster stated that the LynCom employees meet the criteria of the Compensation Philosophy and that City Council should go ahead and take action to address those needs. Vice Mayor Dodson suggested that further discussion was needed to identify a recurring revenue source and recommended that this item be discussed at a future work session. Council Member Adams stated that he did not see turnover as an issue in the Fire Department and therefore he could not support any salary adjustments. Following discussion, and on motion of Council Member Foster, seconded by Council Member Barksdale, Council by the following recorded vote accepted option #3 as per the City Manager's recommendation:

Ayes: Barksdale, Foster, Garber, Seiffert, Hutcherson 5

Noes: Adams, Dodson 2

// With regard to the FY2005 Budget, City Manager Kimball Payne presented a summary of adjustments resulting from the adoption of a budget by the General Assembly, explaining that the City will receive approximately \$3.4 million in additional funding. City Council discussed various options regarding the use

of the additional funding and agreed to utilize those funds to provide a 2% salary increase to City and Schools employees, keep the real estate tax rate at \$1.11, restore the salary increase for Council Members, and reduce the personal property tax rate increase from \$3.95 to \$3.90.

// Following a 15 minute break, City Council reconvened and Vice Mayor Dodson asked that City Council revisit its earlier decision regarding the FY2005 Budget. Mr. Dodson noted that although the Schools budgeted for a \$1.8 million increase in contributions to the Virginia Retirement System, those increases will only cost \$1.1 million. Mr. Dodson recommended that City Council use the \$700,000 savings to reduce the personal property tax rate increase from \$3.90 to \$3.70. Council Member Foster stated that she was uncomfortable in voting on the proposal since the Schools representatives had already left the meeting and were not available to respond to how the new proposal would impact the Schools budget. On motion of Vice Mayor Dodson, seconded by Council Member Garber, Council by the following recorded vote agreed to reduce the Schools funding by \$700,000 in order to reduce the personal property tax increase from \$3.90 to \$3.70:

Ayes: Barksdale, Dodson, Garber, Seiffert, Hutcherson 5

Noes: Adams, Foster 2

// Amazement Square Executive Director Mort Sajadian asked City Council to approve a Memorandum of Understanding with Amazement Square whereby real property taxes on the skateboard park property would be returned to Amazement Square as a contribution to the operating costs of the park. Following discussion and on motion of Council Member Adams, seconded by Council Member Barksdale, Council by the following recorded vote authorized the signing of a Memorandum of Understanding with Amazement Square whereby real property taxes on the skateboard park property would be returned to Amazement Square as a contribution to the operating costs of the park:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// Parks and Recreation Director Kay Frazier presented two plans with regard to reestablishing a boat ramp on City property at the foot of Seventh Street. Ms. Frazier stated that staff is recommending Plan A in that it takes a minimalist approach that creates a small public parking area for boat ramp access. Ms. Frazier recommended a one-year trial period to assess the public demand for the ramp and to determine if problems arise from opening the area for public use. Council Member Barksdale expressed concerns regarding the safety of those using this area in view of its close proximity to the railroad tracks. Vice Mayor Dodson asked that staff provide City Council with an update in December. On motion of Council Member Adams, seconded by Vice Mayor Dodson, Council by the following recorded vote approved Plan A with regard to reestablishing a boat ramp on City property at the foot of Seventh Street:

Ayes: Adams, Dodson, Foster, Garber, Seiffert, Hutcherson 6

Noes: Barksdale 1

// Council Member Garber left the meeting at 3:35 p.m.

// Police Chief Charles Bennett provided an overview regarding the Police Department's plans to celebrate its bicentennial. Chief Bennett explained that there will be no cost to the taxpayers for any of the projects being proposed and that all contributions would be handled by the Lynchburg Police Foundation in accordance with state and federal law. On motion of Council Member Barksdale, seconded by Council Member Seiffert, Council by the following recorded vote expressed its support to the Police Department's efforts to celebrate its bicentennial:

Ayes: Adams, Barksdale, Dodson, Foster, Seiffert, Hutcherson	6
Noes:	0
Absent: Garber	1

// Council Member Garber returned to the meeting at 3:45 p.m.

// Animal Warden Louis Faust provided an update regarding the deer elimination program over the last Fall and Winter. Mr. Faust explained that the report details kills by both the City's sharpshooters and permitted bow hunters.

// City Manager Kimball Payne explained that as part of the Conditional Use Permit, St. Thomas More Catholic Church agreed to provide traffic calming measures within the neighborhood to help reduce vehicle speeds. City staff has determined that speed tables would be the most effective traffic calming measures for the neighborhood. Seventy-five percent of the residents on Roundelay Road support the speed tables and the City is requesting that the FY2004-2009 Capital Improvements Plan be amended and \$5,500 be appropriated, fully reimbursable from the Church, for construction of the three speed tables. Mr. Payne further explained that some of the residents on Roundelay Road oppose the installation of the speed tables and have asked that the requirement be eliminated from the Conditional Use Permit. Several Council Members expressed concern that approval of the speed tables would set a precedent for other such requests. On motion of Council Member Seiffert, seconded by Council Member Adams, Council by the following recorded vote requested that the process be initiated via public hearings before the Planning Commission and City Council to amend the Conditional Use Permit in order to remove the condition requiring the church to provide traffic calming measures in the neighborhood:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson	7
Noes:	0

// Parks and Recreation Director Kay Frazier presented an overview regarding a request from the Friends of Lynchburg Stream Valleys to name an area in Peaks View Park, containing the bike/hike trails and a section of the Ivy Creek Greenway, the "Bill Foot Recreation Area." On motion of Council Member Adams, seconded by Council Member Barksdale, Council by the following recorded vote adopted Resolution #R-04-063, as presented, naming the recreational area of approximately 100 acres located in Peaks View Park, containing the mountain bike/hike trails and a section of the Ivy Creek Greenway, the "Bill Foot Recreation Area":

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson	7
Noes:	0

// City Manager Kimball Payne advised City Council that a reduction of 20 cents in the personal property tax rate would be \$752,000 instead of \$700,000 and Council agreed that the \$52,000 would be taken from the remaining balance. City Manager Payne also suggested that instead of a 2% across the board increase for City employees, that the resources be used to support the Compensation Philosophy and requested thirty days to develop a proposal to present to City Council on how those resources could be used to support the Compensation Philosophy.

// During roll call, Council Member Barksdale informed that grass was growing through cracks in the sidewalk at 13th and Fillmore Streets. Council Member Foster asked to be notified of the outcome of a concern that the City responded to concerning special education students' wheelchairs getting caught up in the ramp on Memorial Avenue/Lakeside Drive as they are trying to access the Public Library. Council Member Adams inquired regarding the reuse of the flag stone taken from the sidewalks on Federal Street. Vice Mayor Dodson informed of a 66% increase in attendance at the baseball games at the newly renovated City Stadium.

// The meeting was adjourned at 4:30 p.m.

Clerk of Council

// A regular meeting of the Council of the City of Lynchburg was held on the 25th day of May, 2004, at 5:00 P.M. in the Council Chamber, City Hall, Carl B. Hutcherson, Jr., President, presiding. Council Member Foster gave the Invocation. The Pledge of Allegiance was led by the Police Officer in attendance. The following Members were present:

Present: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Absent: 0

// Copies of the minutes of the May 25, 2004 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Barksdale, seconded by Council Member Seiffert, Council by the following recorded vote approved the minutes as presented:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Public Works – Sanitary Landfill, Resolution #R-04-051 amending the FY2004 Solid Waste Management Fund Budget and appropriating \$9,188, fully reimbursable, for the continuation of litter control and recycling activities, laid over from the May 11, 2004 meeting, was again presented and read, and on motion of Council Member Barksdale, seconded by Council Member Seiffert, Council by the following recorded vote adopted the Resolution:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Fire - General, Resolution #R-04-052 amending the FY2004 City/Federal/State Aid Projects Fund Budget and appropriating \$185,070, fully reimbursable, to purchase personal protective, search and rescue, and logistical support equipment and training for the Fire and EMS Department, laid over from the May 11, 2004 meeting, was again presented and read, and on motion of Council Member Barksdale, seconded by Council Member Seiffert, Council by the following recorded vote adopted the Resolution:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Airport - General, Resolution #R-04-053 amending the FY2004 Airport Projects Grant Fund Budget and appropriating \$20,000, fully reimbursable, for air service development activities, laid over from the May 11, 2004 meeting, was again presented and read, and on motion of Council Member Barksdale, seconded by Council Member Seiffert, Council by the following recorded vote adopted the Resolution:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Airport - General, Resolution #R-04-054 amending the FY2004 Airport Projects Grant Fund Budget and appropriating \$20,000, with \$10,000 reimbursement, for marketing and promotion activities, laid over from the May 11, 2004 meeting, was again presented and read, and on motion of

Council Member Barksdale, seconded by Council Member Seiffert, Council by the following recorded vote adopted the Resolution:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Sheriff/Commonwealth Attorney, Resolution #R-04-055 amending the FY2004 Budget and appropriating \$22,230, fully reimbursable, for reimbursement of computer equipment for the Commonwealth Attorney's Office and computer equipment and part-time personnel for the Sheriff's Office, laid over from the May 11, 2004 meeting, was again presented and read, and on motion of Council Member Barksdale, seconded by Council Member Seiffert, Council by the following recorded vote adopted the Resolution:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Budget, Resolution #R-04-057 amending the Fiscal Year 2004 Budget and appropriating funds to implement revenue, expenditure and transfer adjustments for the General Fund Operating Budget, the Capital Improvement Program Fund, the Fleet Services Fund, the City/Federal/State Aid Fund, the School Operating Fund and the Comprehensive Services Act Fund, laid over from the May 11, 2004 meeting, was again presented and read, and on motion of Council Member Barksdale, seconded by Council Member Seiffert, Council by the following recorded vote adopted the Resolution:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Schools - General, a second public hearing was held to receive the views and/or nominations of the citizens of Lynchburg concerning Council's appointments or re-appointments for three positions on the Lynchburg School Board, one from each school district. At the request of Mayor Hutcherson, the Clerk read into the record the names of those individuals who have volunteered since the May 11 public hearing: District 1: Maria Roberts; District 3: Bruce Carey. There was no one present who wished to speak to this item. Mayor Hutcherson announced that appointments to the School Board would be made in June.

// In the matter of Airport - General, a public hearing was held regarding City Council Report #9 regarding amending the Airport Grant Fund budget and appropriating \$861,137, fully reimbursable, for construction/rehabilitation of the Airport's Runway 4-22 drainage rehabilitation project. Airport Manager Mark Courtney outlined the request. There was no one else present who wished to speak to this item. On motion of Council Member Adams, seconded by Council Member Barksdale, Council by the following recorded vote introduced and laid over to another meeting Resolution #R-04-064, as presented, amending the Airport Grant Fund budget and appropriating \$861,137, fully reimbursable, for construction/rehabilitation of the Airport's Runway 4-22 drainage rehabilitation project:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of FY2004 Budget/City Code, City Manager Kimball Payne informed City Council that Schools representatives were present to speak to City Council's earlier decision regarding reducing the City's contribution to the Schools by an additional \$700,000 in order to reduce the personal property tax increase from \$3.90 to \$3.70. School Board Chair Lyle Schweitzer along with Schools Superintendent James McCormick provided a spreadsheet showing that reducing the Schools budget by an additional \$700,000 would create a \$526,170 deficit in the FY 2005 School Budget. In order to allow time for City and Schools staffs to reach a mutual understanding of the proposed FY 2005 School Budget and the impact of reducing the City's contribution by an additional \$700,000, City Council agreed to postpone adoption of the Budget Ordinances until June 8. City Council agreed to schedule a special meeting on June 8, at 6:30 p.m., City Council Chamber, to consider adoption of the FY 2005 Budget. City Council also agreed to meet on June 1, at 8:30 a.m., Second Floor Training Room, to receive an update regarding the FY 2005 School Budget.

// The meeting was recessed at 5:28 P.M. to June 1, at 8:30 A.M., to receive an update regarding the FY 2005 School Budget and the impact of reducing the City's contribution by an additional \$700,000.

Clerk of Council